

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – THIRD MEETING

THURSDAY, JULY 21, 2022
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to Act 220, Session Laws of Hawaii 2021, in order to allow public participation in a manner consistent with safe practices, this meeting shall be conducted as a remote meeting by interactive conference technology, as well as in-person for those testifying before the Commission. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

Members of the public may observe the meeting on a live broadcast. The meeting may be observed by internet live streaming through <https://us06web.zoom.us/j/85301456494>; by dialing 1-408-638-0968 and entering the meeting ID#: 853 0145 6494#; or preferably via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to “mute” your device’s microphone to prevent technical difficulties.

All persons who are required to appear for the meeting have an option to appear in-person or virtually through the Zoom platform as described above. Please be aware that joining the meeting virtually will involve entering the meeting number and completing a registration process, so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all appropriate health and safety protocols will be observed.

If any major and insurmountable technical difficulties are encountered during the meeting, the Liquor Commission will automatically recess for up to thirty (30) minutes to restore communication. The meeting will reconvene when either audiovisual or audio-only communication is established with the same Zoom link provided. If it is not possible to reconvene the meeting as provided within thirty (30) minutes after an interruption to communication, all matters will be continued one week or to the next available hearing date.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission, subject to the following restrictions:

1. In-Person: Register with the staff at the Liquor Commission Office, Suite 600, by 4:00 p.m.
2. Virtual: Register through the Zoom link (above) or by going to the Liquor Commission's website: <http://www.honolulu.gov/liq/event-calendar/>.
3. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission at least three (3) working days prior to the date of the meeting via FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The regular minutes of the 35th (3/24/22), 37th (4/7/22), and 39th (4/21/22) meetings, and the executive session minutes of the 37th (4/7/22) and 39th (4/21/22) meetings, as previously circulated, to be approved by the Commission.

PUBLIC HEARING:

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|---------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Appl. No. 21-22805 from New Bangkok Inc., dba Pattaya Thai, 605 Cooke Street | For a Dispenser General license (Categories No. 3 & 4 – Live Entertainment or Recorded Music and Dancing; and Hostess) (Prelim. Hrg. 5/26/22) |
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LICENSE APPLICATIONS:

Special License Applications:

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| 2. Appl. No. 22-25066 from Free Spirits LLC, dba Free Spirits LLC, 333 Ward Avenue (Victoria Ward Park) | For a Special General license from 5:30 p.m. to 9:00 p.m. (daily) on the following Wednesdays:

1) August 10, 2022; and
2) October 5, 2022

(Kona Nui Nights event) |
| 3. Appl. No. 22-25076 from Free Spirits LLC, dba Free Spirits LLC, 900 South Beretania Street (Honolulu Museum of Art) | For a Special General license from 3:00 p.m. to 9:00 p.m., on Saturday, August 27, 2022

(Palette at Honolulu Museum of Art event) |
| 4. Appl. No. 23-00014 from Cools in Catering by Sinublan Inc., dba Sinublan Catering, 94-428 Mokuola Street, Waipahu (Filipino Community Center) | For a Special General license from 5:30 p.m. to 10:30 p.m., on Friday, August 5, 2022

(Banquet event) |

LICENSE APPLICATIONS: (CONT.)

Special License Applications: (Cont.)

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| 5. Appl. No. 23-00015 from
Cools in Catering by
Sinublan Inc., dba
Sinublan Catering,
94-428 Mokuola Street,
Waipahu (Filipino
Community Center) | For a Special General license from
5:30 p.m. to 10:30 p.m., on
Saturday, August 27, 2022

(Birthday party) |
| 6. Appl. No. 23-00016 from
Cools in Catering by
Sinublan Inc., dba
Sinublan Catering,
94-428 Mokuola Street,
Waipahu (Filipino
Community Center) | For a Special General license from
5:30 p.m. to 10:30 p.m., on
Saturday, October 15, 2022

(Birthday party) |
| 7. Appl. No. 23-00075 from
Kahala Senior Living
Community, Inc., dba
Kahala Nui, 4389 Malia
Street | For a Special [Non-Profit] General
license from 7:00 a.m. to 11:59 p.m.,
from Monday, August 1, 2022
through Monday, November 28,
2022 (total of 120 days) |

PRELIMINARY HEARING:

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| 8. Appl. No. 22-23690 from
J&J Investment Group
LLC, dba Palama Express,
220 South King Street,
Suite 10 | For a Retail General license |
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LICENSE APPLICATIONS: (CONT.)

Temporary License Applications:

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| 9. Appl. No. 22-24851 from
OneTeam Restaurant
AMC LLC, dba
Wahlburgers | For a [Stand-Alone] Temporary
Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) at 1450 Ala Moana
Boulevard, Space 2500, the former
site of Café Lani, Hawaii (R1143) |
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LICENSE APPLICATIONS: (CONT.)

Temporary License Applications: (Cont.)

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| 10. Appl. No. 22-24930 from Steve's Chicks Inc., dba Steve's Chicks Inc. | For a Temporary Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) at 94-673 Kupuohi Street, Waipahu, the current site of Auntie Pasto's Restaurant (R0754) |
| 11. Appl. No. 22-25045 from Kelley Oneils LLC, dba Kelley Oneils | For a Temporary Cabaret General license (Category No. 1 – Standard Bar) at 311 Lewers Street, the current site of Kelley O'Neils (I0074) |

Caterer License Applications:

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| 12. Appl. No. 23-00025 from HSI Honolulu Joint Venture Company, dba Inter-Island Terminal, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 300 Rodgers Boulevard (R0193) | For a Caterer's license to cater off the licensed premises to 300 Rodgers Boulevard, Building 305, Room 217 from 11:00 a.m. to 10:00 p.m. (daily) from Sunday, August 14, 2022 to Sunday, December 11, 2022 (total of 120 days)

(Previous applications approved: No. 22-23724 (8/20/21 – 11/17/21), approved on 8/19/21 (P1827); No. 22-23889 (11/18/21 – 2/14/22), approved on 10/21/21 (P1831); No. 22-24298 (2/15/22 – 8/13/22), approved on 2/3/22 (P1846)) |
| 13. Appl. No. 23-00069 from The Bankers Club Inc., dba The Bankers Club, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 999 Bishop Street, 30 th Floor (R0395) | For a Caterers license to cater off the license premises to 1525 Bernice Street (Bishop Museum), from 3:00 p.m. to 9:30 p.m., on Monday, July 25, 2022 |

LICENSE APPLICATIONS: (CONT.)

Caterer License Applications: (Cont.)

14. Appl. No. 23-00090 from Craft Beer Company LLC, dba Off The Wall Craft Beer and Wine, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 1170 Auahi Street, #140 (R1338)

For a Caterer's license to cater off the licensed premises to 91-1780 Midway Street, Kapolei (Coral Crater Adventure Park) from 5:30 p.m. to 8:30 p.m., for following Fridays (total of 24 days):

- 1) July 22, 2022;
- 2) July 29, 2022;
- 3) August 5, 2022;
- 4) August 12, 2022;
- 5) August 19, 2022;
- 6) August 26, 2022;
- 7) September 2, 2022;
- 8) September 9, 2022;
- 9) September 16, 2022;
- 10) September 23, 2022;
- 11) September 30, 2022;
- 12) October 7, 2022;
- 13) October 14, 2022;
- 14) October 21, 2022;
- 15) October 28, 2022;
- 16) November 4, 2022;
- 17) November 11, 2022;
- 18) November 18, 2022;
- 19) November 25, 2022;
- 20) December 2, 2022;
- 21) December 9, 2022;
- 22) December 16, 2022;
- 23) December 23, 2022; and
- 24) December 30, 2022

(Luau events)

(Request No. 22-24806 to accept long-term catering application was approved on 5/12/22; Appl. No. 23-00001 for 75 intermittent dates (7/11/22 – 12/28/22) was approved 7/7/22)

LICENSE APPLICATIONS: (CONT.)

Tour/Cruise Vessel License Application: — NO PUBLIC HEARING REQUIRED

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| 15. Appl. No. 22-24229 from Moana Sailing Company Inc., dba Moana Sailing Company, 1125 Ala Moana Boulevard, Berth D108 and D109 | For a Tour/Cruise Vessel General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) |
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OTHER BUSINESS:

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| 16. Request No. 23-00082 from Robert A. Ueoka, Esq., on behalf of Foodland Super Market, Limited; Food Pantry, Ltd.; and Pacific Sweets, LLC | Requesting waiver of Rule 3-82-45.1, requirement to submit Personal History and Affidavit, Criminal History Record Clearance, and Fingerprints for 11 specified directors and/or officers

(re: Four restaurant license applications and a retail license application) |
| 17. Request No. 23-00097 from Ryan K. Hew, Esq., on behalf of Nana Ai Katsu LLC | Requesting waiver of Rule 3-82-32.1(a) requiring a temporary license application be filed within five (5) working days of the cancellation of the previous license or the closing of the business

(Premises at 3585 Waialae Avenue, the former site of El Mexicano (R1375)) |

ADOPTION OF FINDINGS OF FACT/DECISION AND ORDER:

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| 18. Bar Koko (LCV 21-0153) (R1256) | For adoption of Findings of Fact, Conclusions of Law, Decision and Order |
| 19. Club Hot Ash (LCV 20-0227) (E1521) | do. |

ADJUDICATION HEARINGS:

20. Aburiya Ibushi
(LCV 22-0068)
(R1415)

Licensee failed to obtain approval from the Commission in writing, within 30 days of any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about July 31, 2020)

(Continued from July 7, 2022)

21. Back Alley Café
(LCV 21-0202)
(R1028)

Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about May 5, 2021)

(Continued from May 5, 2022)

(Rescheduled from June 30, 2022)

22. Back Alley Café
(LCV 21-0215)
(R1028)

- (1) Licensee conducted business outside of the class or category authorized by the Commission (Violation of Rule 3-82-31.2(b)) (Date of violation: On or about April 21, 2021)

- (2) Licensee promoted the excessive consumption of liquor by selling, or offering to sell liquor to a person who appeared to be intoxicated (Violation of Rule 3-84-78.51(a)) (Date of violation: On or about April 21, 2021)

(Continued from May 5, 2022)

(Rescheduled from June 30, 2022)

ADJUDICATION HEARINGS: (CONT.)

23. Back Alley Café
(LCV 21-0226)
(R1028)
- (1) Licensee conducted business outside of the class or category authorized by the Commission (Violation of Rule 3-82-31.2(b)) (Date of violation: On or about May 7, 2021)
- (2) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about May 7, 2021)
- (Continued from May 5, 2022)
- (Rescheduled from June 30, 2022)
24. Back Alley Café
(LCV 22-0028)
(R1028)
- Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2022-01 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about February 19, 2022)
- (Continued from May 5, 2022)
- (Rescheduled from June 30, 2022)

ADJUDICATION HEARINGS: (CONT.)

25. Back Alley Café
(LCV 22-0060)
(R1028)

Licensee failed to make available, for inspection and/or auditing within the City and County of Honolulu, its books and records for the last four (4) years indicating all income, purchases, expenses and employee time records of Licensee's liquor business (Violation of Rule 3-81-17.54(d)) (Date of violation: On or about June 30, 2021)

(Rescheduled from June 30, 2022)

26. The Chart House
(LCV 21-0168)
(R0339)

Licensee failed to timely submit the name of every person then employed on the licensed premises who is registered with the Commission or who is subject to registration, on the date and in such manner as directed by the Commission (Violation of Rule 3-82-38.8) (Date of violation: On or about November 30, 2020)

(Rescheduled from June 30, 2022)

27. The Chart House
(LCV 21-0441)
(R0339)

Licensee failed to obtain approval from the Commission in writing, within 30 days of any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about January 20, 2021)

(Rescheduled from June 30, 2022)

ADJUDICATION HEARINGS: (CONT.)

28. The Counter
(LCV 21-0263)
(R0886)

Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about February 16, 2021)

(Rescheduled from June 30, 2022)

29. Dixie Grill BBQ
& Crab Shack
(LCV 21-0440)
(R0569)

Licensee failed to obtain approval from the Commission in writing, within 30 days of any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about January 4, 2021)

(Rescheduled from June 30, 2022)

30. Imanas Tei
(LCV 21-0432)
(R0467)

Licensee failed to obtain approval from the Commission in writing within 30 days of any change in ownership of twenty-five percent or more of the stock, or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about January 6, 2021)

(Rescheduled from June 30, 2022)

ADJUDICATION HEARINGS: (CONT.)

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| 31. In Between
(LCV 21-0442)
(E1285) | | Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about February 25, 2021) |
| | | (Rescheduled from June 30, 2022) |
| 32. Kamamalu Market
(LCV 21-0252)
(D0954) | | Licensee made physical alterations within its licensed premises without notifying the Commission within five days of completion (Violation of Rule 3-83-62(a)) (Date of violation: On or about February 10, 2021) |
| | | (Rescheduled from June 30, 2022) |
| 33. Waikiki Beach Market
(LCV 21-0090)
(D0329) | | Licensee purchased, acquired, or sold liquor which licensee purchased or acquired from a person or entity other than a licensed wholesaler (Violation of Section 281-31(t), HRS) (Date of violation: On or about January 15, 2021) |
| | | (Rescheduled from June 30, 2022) |
| 34. Frog House Restaurant
(LCV 20-0302)
(R0739) | (1) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 5, 2020) |

ADJUDICATION HEARINGS: (CONT.)

Frog House Restaurant
(LCV 20-0302)
(R0739)
(Cont.)

(2) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about December 5, 2020)

(Continued from February 18, 2021)

(Rescheduled from June 30, 2022)

35. Lanikai Brewing
Company LLC
(LCV 20-0245)
(S0001)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violation of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 9, 2020)

(Continued from September 23, 2021)

[History: 2/25/21, 4/1/21, *6/17/21, 6/24/21, 9/23/21]

OTHER BUSINESS: (CONT.)

36. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.